

Notice of Allowability	Application No.	Applicant(s)	
	09/306,888	OPSTAD ET AL	
	Examiner	Art Unit	
	Eric Woods	2672	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 28 November 2005.
2. ☒ The allowed claim(s) is/are 1-15 and 19-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claims 10, 14-15, 21, and 28 were previously allowed, the reasons for allowance being found in previous Office Actions.

Claims 1-9, 11-13, 19-20, and 22-27 were found to be allowable by the Board.

Claims 16-18 and 29-31 were canceled after being found unpatentable by the Board.

All claims having been accorded a final status by a final administrative decision of the regulatory agency in question, the case is being passed to Issue as per the direction of the BPAI.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The limitation of "synthesizing said table from data contained in said file if the table is not present in the font file" appears to be patentably distinct subject matter in light of the interference search, as noted in previous Office Actions, and allowable for those reasons previously stated and reiterated by the BPAI in their decision.

Finally, the closest relevant prior art that could be applied would be as follows. However, motivation is found to be lacking, therefore the following rejection was not used.

This is provided with respect to claim 26, which seems to be the broadest claim. Dresevic et al (US 6,253,374 B1) in view of Yoshida (US 5,959,634) and Cahoon (US 5,592,594).

A computer-readable medium containing a program which executes the steps of:
(Preamble is not given patentable weight, since it only recites a summary of the claim and/or an intended use, and the process steps and/or apparatus components are capable of standing on their own; see *Rowe v. Dror*, 112 F.3d 473, 42 USPQ2d 1550 (Fed. Cir. 1997), *Pitney Bowes, Inc. v. Hewlett-Packard Co.*, 182 F.3d 1298, 1305, 51 USPQ2d 1161, 1165 (Fed. Cir. 1999), and the like.)

-Receiving a request for a data table that pertains to the implementation of a font;
(Dresevic Figures 2 and 3, where structural checking is performed, and a determination of whether or not the structure and/or hints are valid is made. If the structure is not valid, an error message is created and/or the font is not loaded. Part of the checking (5:25-6:38) involves validating the (6:8-25) tables involved with the font file. Obviously, this would request a data table for the font, where each TrueType, TrueType Open, or OpenType font has several required data tables (this is part of the TrueType / OpenType font standard (for example, see *Ballard* (US 6,288,726 B1) in 1:30-47 and the like)(Yoshida Figure 22, 10:59-12:10, where a font is examined and tables generated. If a certain desired weight is not present, then the data is synthesized from the font file by selecting the nearest data from the smaller weight data or the larger weight data depending on whether or not a weight that is greater than the designated weight is present)

Art Unit: 2672

-Determining whether the data table is present in a file containing the font; and
(Dresevic, as noted above, clearly checks (6:8-25) for the presence of the data table in the file containing the font)(Yoshida clearly determines whether or not the designated weight is present - see step 2 in Figure 22)

-Synthesizing said table from data contained in said file if the table is not present in the font file. (Yoshida very clearly shows in steps 4-6 the steps of obtaining the needed data to replicate the desired weight)(Cahoon teaches in the background section (1:14-30) that when a font is rasterized, a table of pointers is created in the printer for that version of it. Obviously, a table of pointers stating where bit map data or outline font data for a given orientation or the like is located comprises 'a data table that pertains to the implementation of a font'.)

In summary, Dresevic teaches a system for validating fonts that checks a font to determine if the necessary tables are in the file, but it does not expressly teach synthesizing a table if the table is not present in the file. Obviously, it would fairly suggest correcting the deficiency in some manner, and if the font were lacking a given table, that would be the error to be corrected. Yoshida clearly teaches generating new data by substituting the closest existing data in a file (e.g. for a file of a given weight, if specific outlines or bit maps are not available, using the closest ones). Cahoon serves as a teaching reference that any time such a request is made, at least one new data table containing pointer information is created, and that this technique is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the

Art Unit: 2672

time the invention was made to modify Dresevic to correct a missing font table by creating a new table that would contain data from the closest equivalent weight or other parameter. The references are all analogous art, as they deal with synthesizing, validating, and/or utilizing fonts and their efficient manipulation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

It is also pointed out that applicant's similar application was available as prior art under 35 U.S.C. 102(e), since the older version of that statute would have allowed the Office to use that case as prior art under 35 U.S.C. 102(e), although it appears that such art would not be anticipatory but rather would have rendered such as obvious, which would not have been sufficient to overcome the bar of 35 USC 103(c).

US 6,288,726 B1 to Ballard et al – see claims 1-2, which appear to be the closest to the claimed invention, but does not appear to have the limitation of automatically generating the font table.

Also see Beaman et al – US 6,714,199 B1 – for a font server that appears to be similar but does not have the limitation of automatically generating the font table if it does not exist.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Woods whose telephone number is 571-272-7775. The examiner can normally be reached on M-F 7:30-5:00.

Art Unit: 2672

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric Woods

January 11, 2006


ULKA CHAUHAN
SUPERVISORY PATENT EXAMINER